



PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Appln. of)
)
TORKELSON, ET AL.) Art Unit: 1714
)
Serial No. 10/701,067) Examiner: Ronesi, Vickey M.
)
Filed: November 5, 2003)
) Attorney Docket No. 6313.190A
Title: METHOD OF PRODUCING)
EXFOLIATED POLYMER-CLAY)
NANOCOMPOSITE AND)
POLYMER-CLAY)
NANO COMPOSITE PRODUCED)
THEREFROM)

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

February 17, 2006

PETITION TO ACCEPT UNINTENTIONALLY DELAYED
CLAIM OF PRIORITY

Dear Sir:

Pursuant to 37 C.F.R. § 1.78(a)(6), Applicant has petitions to accept an unintentionally delayed claim under 35 U.S.C. § 119(e) for the benefit of a prior filed provisional application. Also filed is the surcharge under Rules 1.78(a)(6)(ii) and 1.17(t).

Applicant respectfully submits pursuant to Rule 1.78(a)(6)(iii) that the entire delay between the date the claim was due under Rule 1.78(a)(5)(ii) and the date the claim was filed was unintentional.

Applicant's claim for priority is based on provisional application no. 60/423,591 filed November 5, 2002. Applicant's Amendment and Request for Reconsideration filed herewith includes proposed amendments to insert the provisional application serial

10/701,067

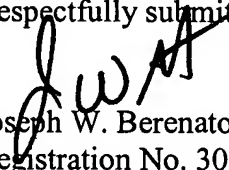
10/701,067

number and filing date at the beginning of the specification, as required by 35 U.S.C.

§ 119(e) and 37 C.F.R. § 1.78(a)(6)(i).

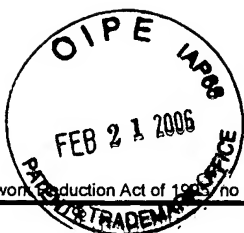
If, after reviewing the above, the Examiner believes any issues remain unresolved, the favor of an Examiner interview is requested and the Examiner is requested to contact the undersigned, by telephone, to schedule the same.

Respectfully submitted,



Joseph W. Berenato, III
Registration No. 30,546
Attorney for Applicant

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PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$1,370.00

Complete if Known

Application Number	10/701,067
Filing Date	November 5, 2003
First Named Inventor	Torkelson
Examiner Name	V.M. Ronesi
Art Unit	1714
Attorney Docket No.	6313.190A

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-0548 Deposit Account Name: Berenato, White & Stavish

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, **except for the filing fee**☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
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Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP =

x

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=

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP =

x

=

=

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Petition Fee

\$1,370

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 30,546	Telephone 301-896-0600
Name (Print/Type)	Joseph W. Berenato, III		Date 02/17/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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